

TOWN OF FOXBOROUGH
SELECTMEN'S MEETING
MINUTES
September 3, 2013

Members Present: Mark Sullivan, Chairman
Lorraine Brue, Vice Chairman
John Gray, Clerk
Ginny Coppola
James DeVellis

Others Present: Acting Town Manager Bob Cutler
Bill Yukna, Randy Scollins, Steve Sloan, Mike O'Leary and Gary
Whitehouse of the Permanent Building Committee
Building Commissioner Bill Casbarra
Bob Siteman
Finance Officer Randy Scollins
Board of Water and Sewer Commissioner Bob Garber
Town Planner Sharon Wason
Advisory Committee member Larry Thomas

The meeting was brought to order at 7:00 p.m. by Mark Sullivan, Chairman. Chairman Sullivan reviewed the agenda.

Citizen's Input

Paul DeFazio the new Chairman of the Advisory Committee who can't be here for the agenda item in regards to the Special Town Meeting Warrant has some comments for the Board. The Advisory Committee has not yet met; their first meeting will be next Wednesday. Since there are quite a few new members on the Committee, the first couple of meeting will be for training of the new members. Mr. DeFazio noted that there are quite a few articles on the proposed warrant and feel that an October Town Meeting will not give the Committee the time to do their best research. He suggests having the Town Meeting around the third week of November to give the Committee time to consider the issues.

Town Hall Building

The Board met with Bill Yukna, Randy Scollins, Steve Sloan, Mike O'Leary and Gary Whitehouse of the Permanent Building Committee in regards to the Town Hall. Their Committee met a few weeks ago to revisit the decision on Town Hall. The original concept was for a new Town Hall not to renovate the existing Town Hall. They feel that there are too many issues with the current building and it would make no sense to rehab a building that does not serve the town's current and future needs. They also have big concerns with the lower level of the current building.

They would like to go out for bid for the design of the new Town Hall. Mr. Gray asked what the bid process would be. Mr. Yukna stated that they need to get approval of Town Meeting for \$550,000 for the design of the building. This is the first step towards bidding the project. Once plans are complete, then the project can go out to bid. They do have a tight deadline to get the bidding process complete in six months so it will be ready for Spring Town Meeting in May. The

bid period is 15 days, and everything needs to be complete 30 days prior to Spring Town Meeting. If the date of the Fall Town Meeting is moved to November, they feel there won't be enough time to complete the process.

Zoning Board approval will also be needed and they would like to go to them before Spring Town Meeting also.

There was a discussion on when to hold the Fall Town Meeting. Even a one week delay will affect the building plans. There are currently fourteen articles on the Fall Warrant. There was a discussion of having two meetings, one in October and one in December.

Ms. Coppola noted that the Board of Selectmen voted to support a new Town Hall building. Mr. Gray stated that he wasn't on the Board at the time of that vote and suggested that they take a re-affirming vote.

There is also a Citizen's Committee that is advising rehab of the current building; they will be going before the Advisory Committee in two weeks. Mr. Yukna has spoken to Mr. Heydecker of this committee; they came before the Building Committee and explained their position. Mr. Yukna stated that the Building Committee is in disagreement with that committee. The Board needs to decide which way to go; it will be too costly to develop two concepts. Firm numbers will be gained by going out to bid.

Mr. Yukna stated that the Building Committee has worked on the Ahern School, the Public Safety Building, the High School addition and the Library. None of those projects went over budget.

Ms. Coppola asked what their recommendation is for the location of the new building. Mr. Yukna responded that the best option is to build where the current Town Hall is due to zoning restrictions. Costs of relocating the Town Hall departments have been taken into consideration.

Mr. DeFazio of the Advisory Committee stated that they would need to see all of the warrant articles to decide if even a November date would be feasible.

Mr. Cutler advises against a second Town Meeting if the articles can wait until May.

Town Planner Sharon Wason stated that one of the Planning Board articles has to do with grant funding and needs to be on the fall warrant. She feels the rest of the Planning Board articles can wait until the spring.

A member of the Advisory Committee stated that giving them only two to three weeks to review the articles may result in a No Action recommendation.

Randy Scollins stated that this will be the third time they are trying to fund the soft costs of a new Town Hall.

Mr. Gray asked what kind of building they are recommending. Mr. Yukna stated that it will be of a colonial style and input would be sought on the materials, look, etc.

Bob Garber of the Board of Water and Sewer Commissioners stated that they have two articles on this warrant. One is for the Sewer Service District and the other is an appropriation for a new

DPW building. The sewer district is needed as part of the IMA process and can't wait until spring.

Mr. Sullivan asked if any members of the Board were against a new Town Hall building. Mr. Gray stated that he hates to throw buildings away, especially if they are paid for; but he will concede that this building has been neglected for years and could live with the Building Committee's recommendation. He does like the fact that it will be built where the current building is.

Mr. DeVellis feels that there is nothing historic to this building and dealing with a retrofit may end up costing more in the long run. He has spoken with Mr. Heydecker and feels that he has valid points but missed the value of new versus old.

Mr. Yukna stated that they all didn't feel a new building would be needed at the beginning, but came to that conclusion over a period of time. They don't advocate throwing away buildings, the high school and the middle school both got additions.

Sandra Herrmann of the Selectmen's office wanted to clarify a few points. About thirteen years ago, the Town Hall gave up the sale money of one of the school buildings for the Public Safety building, at that time they were told the Town Hall would be the next building to be done. So since that time, only general repairs have been completed, as they were waiting for their turn.

Dick Heydecker stated that the selection of architects and engineers can begin now through the Central Registry. An expected date of funding would be included. He does agree that something needs to be done and hopes the town can be convinced that something needs to be done. He stated that Kaestle Boos architects recommended rehabbing the current building; his group looked at many options including minimum repair, full alteration, etc. He added that vault storage needs to be taken into consideration as part of a rental option. He feels that not all of the rental options have been explored. His group feels that there would be more room in the renovation of the current building than in a new building.

A motion to approve the choice of new construction to replace the Town Hall was made by Ms. Brue and seconded by Mr. Gray. The motion carried 5-0-0.

Town Hall

The Board met with Building Commissioner Bill Casbarra to discuss the situation with the employees in the basement. One of the temporary options would be to move them to the Gala Meeting Room. This would require the Board of Selectmen and other Boards to move to the high school.

A motion to approve future Board of Selectmen meetings be held at the Media Center of the High School effective September 17, 2013 was made by Ms. Brue and seconded by Mr. Gray. The motion carried 5-0-0.

Mr. Casbarra stated that it would take two to three weeks to move the electrical and phone lines into the Gala room. Mr. Casbarra, Mr. Cutler and Mr. Scollins can work on the layout and costs of this move.

New Town Manager Discussion

Mr. Cutler informed the Board that he will not be pursuing the permanent Town Manager position but will stay as Acting Town Manager until a new one is found. Ms. Brue stated that she has been communicating with the Collins Institute out of UMass Boston; they are a Commonwealth Municipal Entity so no procurement procedures would be necessary. They are willing to come and meet with the Board to explain their services in detail. They do the initial search process after meeting with the Board members individually to create a profile. They would then bring a number of candidates to a screening committee. The screening committee would then interview the candidates and bring forward the best candidates to the Board. Ms. Brue was told that Foxboro is one of the premier Town Manager positions in the state.

They are available to give a presentation to the Board on September 10th at 7:00 p.m. The Board members requested that information be sent in advance of this presentation for their review.

Mr. Scollins asked what the funding would be for the search committee. He recommends a reserve fund transfer; this could be voted on at the September 10th meeting and brought to Advisory on their September 11th meeting. He recommends Board members attend the Advisory meeting to answer any questions they may have.

Meetings will be posted for September 10th and September 11th.

Mr. DeVellis told Mr. Cutler that he feels that he would have made a great candidate for the permanent Town Manager position and thanked him for the work that he has done as Acting Town Manager. Ms. Coppola felt that Mr. Cutler was the calming force the town needed. Ms. Brue thanked Mr. Cutler for stepping up to the challenge. Mr. Sullivan would like to see Mr. Cutler on the search committee.

Selectmen's Comments – Foxborough Post Office Closing

Mr. Gray wants to be sure that there still will be a post office in downtown Foxboro. Mr. Cutler stated that he was told that they intend to stay in the downtown area and 02035 will remain Foxboro's Zip Code.

Ms. Coppola wants to know about the routes and the delivery standards. Mr. DeVellis has no problems as long as the retail operation stays in town.

Ms. Coppola also wants to know if the wall hangings in the current post office will stay in town. Mr. Sullivan would like to see the retail operation in the center of town and thinks that Foxboro is easier to get to than the Mansfield location for the distribution center.

Merit Pay Acceptance

Mr. Cutler proposed a merit pay increase for all non-union personnel of 1.25%. This is enacted under the power of the Town Manager. Ms. Brue feels that a vote of the Board needs to be on record as the Merit Plan was approved as part of the budget process but this was not part of the original budget discussion. Mr. Sullivan would like the structure of this program put on a future agenda.

Mr. Scollins stated that some personnel may have unique circumstances depending upon when they were hired, if they're at the top step, etc.

This is a solution to take care of the immediate problem.

Ms. Coppola noted that revisions will need to be made going forward anyway. Mr. DeVellis apologized to employees that came up with the Goals and Objectives and did not get a higher increase.

A motion to approve the change of the Merit Plan to a uniform 1.25% for all non-union employees that are eligible was made by Ms. Brue and seconded by Mr. Gray. The motion carried 5-0-0.

Action Item

A request has been received from the Veterans Services Advisory Committee to appoint John Connolly for a term expiring May 1, 2014.

A motion to appoint John Connolly to the Veterans Services Advisory Committee was made by Mr. Gray and seconded by Ms. Brue. The motion carried 5-0-0.

Bob Siteman of the Veterans Service Advisory Committee wanted to invite the Board to attend the POW/MIA ceremony on September 21, 2013 at 4:00 p.m. Eagle Scout John Mitchell will be there as well as the Rolling Thunder. This will be an annual event from now on.

Ms. Coppola asked about flag retirement ceremonies. Mr. Siteman stated that the Boy Scouts usually do them two to three times a year and he will let the Board know when the next one will be.

New Town Manager Goals and Objectives

This discussion will be moved to a future agenda.

Special Town Meeting Warrant

The Board met with Randy Scollins, Bob Garber, Sharon Wason and Larry Thomas to discuss the warrant for the Special Town Meeting.

Mr. Gray read the proposed articles. Article 1 is to pay for the Norfolk County Agricultural School expenses and funding for the new Town Manager. Article 2 is a retroactive pay adjustment for the Acting Town Manager for work done in June which is the last Fiscal Year and an unpaid bill from the landfill. Article 3 is for design work on the new Town Hall. Article 4 is for the new DPW building. Article 5 is for the BWSC Sewer Service Area. Articles 6, 7, 8, 9, 10 and 11 are zoning articles proposed by the Planning Board. Article 12 is for a grant for the Payson Road recreation area. Article 13 has to do with subdivisions in default and Article 14 is a scenic road request for Cross Street.

Ms. Wason stated that the zoning articles don't need to go on this warrant as the advertisement of the Public Hearings for these articles freezes the zoning; action just needs to be taken within six months.

This brings the warrant down to Articles 1, 2, 3, 4, 5, 12 and 13. Mr. Thomas stated that these articles could not be reviewed adequately in two weeks by the Advisory Board. He explained that they do not vote on an article the night it is presented, but at the following meeting. Mr. Scollins suggested that two Reserve Fund transfers be added to the Warrant in case the Advisory Board doesn't have a recommendation.

A discussion on when to have the Town Meeting took place. Dates of November 18th, October 21st or November 4th were discussed. The high school needs to be available whatever date is chosen. Mr. Cutler will inquire if it is available on any of those dates.

Action Items

The minutes of July 9th which were previously approved, contain a typographical error on the dates of the Fire Chief's contract and need to be amended.

A motion to approve the amended minutes of July 9, 2013 was made by Mr. Gray and seconded by Ms. Brue. The motion carried 5-0-0.

The minutes of August 24, 2013 were reviewed.

A motion to approve the minutes of August 24, 2013 as amended was made by Mr. Gray and seconded by Ms. Brue. The motion carried 5-0-0.

Requests have been received from Tastings Wine Bar, Bar Louie, Tivolino, Renaissance Hotel and Spa and Davio's Steakhouse, all located at Patriot's Place, for permission to serve alcohol at 11:00 a.m. during Patriot's home games.

The Board will allow this only during home games that begin at 1:00 p.m.

A motion to allow Tastings Wine Bar, Bar Louie, Tivolino, Renaissance Hotel and Spa and Davio's Steakhouse all located at Patriot's Place to begin serving alcohol at 11:00 a.m. on Sunday's when the Patriot's home games begin at 1:00 p.m. was made by Mr. Gray and seconded by Ms. Brue. The motion carried 5-0-0.

In regards to the request for a Hackie License for Kingsley Ofosu-Ampofo from Maurice Cab who was replacing Iadil Abbas Faris, Mr. Cutler stated that the license for Mr. Faris was never issued.

A motion to approve the Hackie License for Kingsley Ofosu-Ampofo was made by Mr. Gray and seconded by Ms. Brue. The motion carried 5-0-0.

A Hackie License has been requested for Wadea Muhsen Alsaabiri from On Time Taxi. Ms. Coppola noted that he checked off he did not have a Massachusetts License. This may be an error as an expiration date is included.

A motion to approve the Hackie License for Wadea Muhsen Alsaabiri from On Time Taxi was made by Mr. Gray and seconded by Ms. Brue. The motion carried 5-0-0.

A request has been received from Bay Colony Productions at the Orpheum Theatre for a One Day Beer & Wine License on September 7, 2013 for a music festival.

A motion to approve the One Day Beer and Wine License on September 7, 2013 for Bay Colony Productions was made by Mr. Sullivan and seconded by Mr. DeVellis. The motion carried 5-0-0.

A Reserve Fund Transfer Request has been prepared for the Acting Town Manager Salary for FY 14.

A motion to endorse the Request for Transfer From the Reserve Fund in the amount of \$18,975 for the Acting Town Manager's salary was made by Mr. DeVellis and seconded by Ms. Brue. The motion carried 5-0-0.

A motion to adjourn the meeting to enter into Executive Session at 9:52 p.m. and to return to regular session solely to adjourn was made by Mr. Gray and seconded by Ms. Brue. The motion carried 5-0-0.

The Board returned to regular session at 11:20 p.m. and was adjourned.

Respectfully Submitted,

Diana Gray

John R. Gray, Clerk